



Attorney Docket No.: 5655.204-US

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PATENT

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pedersen et al.

Serial No.: 09/390,851

Group Art Unit: 1627

Filed: September 7, 1999

Examiner: Koroma

Confirmation No: 7651

For: Enzyme Activity Screen With Direct Substrate Reloading

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Commissioner for Patents
Washington, DC 20231

Sir:

I hereby certify that the attached correspondence comprising:

1. Response to Restriction Requirement

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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Washington, DC 20231

on June 8, 2001.

Kelley O'Patry
(name of person mailing paper)

K. O. Patry
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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

Sir:

This paper is being filed in response to the Office Action mailed March 28, 2001 that made restriction and election of species requirements. Applicants were requested to elect one of nine (9) designated groups.

In response to these requirements, Applicants hereby elect with traverse the invention of Group I, and the species of peptides. Applicants hereby reserve the right to file continuing applications directed to the nonelected subject matter.

The basis for traverse is that there would clearly not be a serious burden on the examiner if restriction were not required. Indeed, the Examiner's own identification of the primary classes to be searched indicates significant overlap between the groups, such as, e.g., the predominance of class 435. Moreover, all of the claims depend from claim 1. Thus, a search of the broad invention, defined by claim 1, would also entail a search of the dependent claims encompassed therein.

Applicant, therefore, respectfully submits that the restriction requirement is improper. Applicant respectfully requests reconsideration and withdrawal of the restriction requirement.

The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this response or application.

Respectfully submitted,

Date: June 8, 2001

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